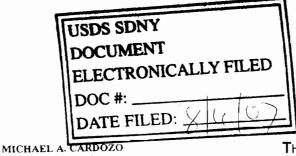
Corporation Counsel





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August 3, 2007

BY ECF AND TELECOPY

Hon. John G. Koeltl United States District Court Judge Southern District of New York Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, NY 10007-1312 The slandigs' submission was in fact unauthorized. Parmission to file sur- reply layers should show been sought before making any more submission! Now that the submission fram

Re: U.S.A. Baseball, et al. v. City of New York,

07 Civ. 3605 (JGK)(DFE)

Your Honor:

We write to respectfully request that plaintiffs' submission today of a letter brief and two additional declarations, be stricken. This submission attempts to reargue matters that were already fully presented to the Court at oral argument on August 1, 2007. Moreover, the Court did not request additional briefing from the plaintiffs. The plaintiffs' continued effort to have this Court second guess the City's policy decision should not be countenanced. Accordingly, the submission should be stricken from consideration, or alternatively, the City

Respectfully submitted,

Jerald Horowitz (JH8395) Assistant Corporation Counsel

Cc: John F. Collins, Esq.

requests until August 8, 2007 to respond.